



MASTER PUBLIC HEARING APPLICATION

GEM COUNTY DEVELOPMENT SERVICES

109 SOUTH MCKINLEY, EMMETT, IDAHO 83617 WWW.GEMCOUNTY.ORG PHONE: (208) 365-5144

TYPE OF APPLICATION: (PLEASE CHECK ALL THAT APPLY.)

- | | | |
|--|--|---|
| <input type="checkbox"/> APPEAL | <input type="checkbox"/> PLANNED COMMUNITY | <input type="checkbox"/> SUPPLEMENTAL AMENDMENT |
| <input type="checkbox"/> COMPREHENSIVE PLAN TEXT AMENDMENT | <input type="checkbox"/> REZONE | <input type="checkbox"/> VACATION |
| <input type="checkbox"/> COMPREHENSIVE PLAN MAP AMENDMENT | <input type="checkbox"/> SPECIAL USE PERMIT | <input type="checkbox"/> VARIANCE |
| <input type="checkbox"/> DESIGN REVIEW | <input type="checkbox"/> SPECIAL USE PERMIT (MINERAL EXTRACTION) | <input type="checkbox"/> ZONING TEXT AMENDMENT |
| <input type="checkbox"/> DEVELOPMENT AGREEMENT | <input checked="" type="checkbox"/> SUBDIVISION, PRELIMINARY | |
| <input type="checkbox"/> PLANNED UNIT DEVELOPMENT | <input type="checkbox"/> SUBDIVISION, MODIFICATION | |

PROJECT

NAME: Dobie Ranch Subdivision

SITE INFORMATION:

(This information can be found on the Assessor's property information assessment sheet.)

Quarter: SE Section: 28 Township: 6N Range: 3W Total Acres: 102.01
 Subdivision Name (if applicable): Dobie Ranch Subdivision
 Site Address: 00000 EL Paso Road Lot: _____ Block: _____
 City: _____
 Tax Parcel Number(s): RP06N03W287201 Current Zoning: _____ Current Land Use: _____

PROPERTY OWNER:

Name: EL Paso Investments, LLC
 Address: 2350 W. McMillan Road
 City: Meridian State: ID Zip: 83646

APPLICANT:

Name: _____
 Address: SAME AS OWNER
 City: _____ State: _____ Zip: _____

Telephone: (208) 870-5991
 Email: invest1977@yahoo.com

Telephone: _____
 Email: _____

I consent to this application and allow Development Services staff to enter the property for site inspections related to this application.

I certify this information is correct to the best of my knowledge.

Kelly Rafferty 7-6-22
 Signature: (Owner) Date

Kelly Rafferty 7-6-22
 Signature: (Applicant) Date

File No.: 172-009 OFFICE USE ONLY
 Received By: SC Date: 7/7/22 Fee: \$1380 Receipt No: 22-312

**LETTER OF INTENT
DOBIE RANCH SUBDIVISION (17 Lots)
Gem County, ID: SE ¼ Sec. 28, T6N, R3W
El Paso Investments, LLC, Kelly Fulfer**

August 28, 2022

Gem County Development Services
415 E. Main Street,
Emmett, ID 83617

Dear Development Services,

It is a pleasure to submit the Preliminary Plat for Dobie Ranch Subdivision, The site is located west of El Paso Road and north of Dobie Road. The application has been submitted per the standards set forth in the Gem County Development Code.

SITE AND PRELIMINARY PLAT

Dobie Ranch includes seventeen lots with the smallest lot being five acres. The current zoning of the development is A-3, Rural Agricultural (5-acre minimum). Dobie Ranch Subdivision is 72.4 acres. The intent is to provide 13 rural residential lots, 5 acres or larger for single family homes. Homes will be custom built like the homes currently being constructed for El Paso Reserve Minor Subdivision.

Domestic Water and Sewer: Water and sewer will be served by individual wells and septic systems. Owners has met with Southwest District Health (SWDH) participating in a pre-development conference. It is believed that all concerns are addressed or being addressed. An Engineering report will be filed with SWDH following the test pit exploration on this site. It is anticipated that there will be not major concerns with SWDH.

Domestic Water: Well logs have been reviewed from the area with the water between 50 to 80 feet below ground surface. Most well are pumping from 150 to 220 feet below ground surface. Well yields during the test pumping have been as high as 75 gallons per minute for 180 minutes. This far exceeds the needs of domestic wells. IDEQ limits the flow of individual wells used for residential homes, thus, minimizing the use of groundwater. The anticipated use at a four-bedroom home is 300 gallons per day.

Sanitary Sewer: Sewer will include a septic tank and drain field for each lot. The drain field will drain into a sandy loam material on each lot. This material is acceptable for small residential drain field systems. This area soils tends to have layers, or lenses of sand, loamy sand, and clay. Well logs also support this. This is an excellent area for domestic drain fields. Ground water is anticipated to be greater than 50 to 100 feet below ground surface

Pressure Irrigation: Irrigation water will be provided by a pressure irrigation system. The system will be owned and operated by a homeowner's irrigation association. Irrigation water is

supplied by Black Canyon Irrigation District. Application has been made with the District to re-distribute water rights for each lot included in the pressure irrigation system. The intent is to minimize the use of the individual domestic wells for land scape, and provide pressure irrigation for landscape, pasture, etc. as required on the individual lot.

Access (Private Lane): The development will be accessed from El Paso Road, for seven lots, and Dobie Road for ten lots. Both private lanes will meet and exceed the required county standards. Access will include paved approaches. It is anticipated that the entire roads will be paved. Each private road will be signed with the required private street and stop sign. The plat shows the full length, metes and bounds, and easement for each road. An access permit will be submitted to Gem County Road and Bridge before construction of either road. The homeowner's association (HOA) will require the maintenance and repair of the private roads by the HOA.

Each private road exceeds the County Code in length and is required to be accepted by the fire department. A cul-de-sac meeting the county road standards as well as the fire department requirements will be located at the end of each road. Keshen Lane, accessing from El Paso Road, is 1,547 feet long. Alistair Lane, accessing from Dobie Road, is 1,407 feet long. The width meets or exceeds the fire department requirements. Each driveway will be an acceptable emergency service vehicle turnaround as well. The Middleton/Star Fire Department has reviewed this plat and is issuing letters regarding both Alistair Lane and Keshen Lane.

Stormwater Drainage: Stormwater will be retained on site. Each lot is required to be landscape to retain stormwater on their individual lots. It is anticipated that during home construction each lot will complete landscape berms and vegetation to retain all storm water on their lot. Each private road has been designed with swales on each side to provide stormwater retention along the private roads.

Buildings and Setbacks: All residential structures in the proposed 17 lot subdivision will be located on the individual lots shall meet or exceed current setback requirements of Gem County at the time of construction. Structures heights will be within the County Building Requirements at the time of the building application.

Declaration of Protective Restrictions/CC&Rs: The proposed 17-lot Dobie Ranch Subdivision will employ obligations and responsibilities as the Declaration of Protective Restrictions for The Dobie Ranch Subdivision and will be recorded at Gem County, Idaho.

Neighborhood Meetings

The Neighborhood meeting was held on June 7th, 2022, at 7:00 PM on site and according to Gem County meeting guidelines. Notices were sent to residents within 300 feet of the project at least ten days prior to the meeting. Attendance far exceeded the number of notices, with most of the attendees beyond the required 300 feet boundary. The County Planning and Zoning is aware of concerns voiced by local citizens including:

- 1) road safety and volume,
- 2) groundwater supply,

- 3) pressure irrigation system and irrigation association will limit the need for domestic well water usage, and
- 4) building height.
- 5) CC&R 's will support:
 - a. County Weed Control,
 - b. landscape providing wildlife cover, and
 - c. fencing allowing the migration of wildlife.
- 6) Structures will comply with Gem County Building Codes.
- 7) Access to El Paso and Dobie Roads will meet or exceed minimum standards promoting safe county road access.
- 8) The El Paso community consists of a range of home values, rural residential parcels of varied size, 5-acres being the most common, and homes 1-year to 50-years old. This development will provide quality rural residential homes being compatible with other developments in this community. The Dobie Ranch Subdivision is consistent with the County's Comprehensive Plan.



Approximate Location

Dobie



GEM COUNTY DEVELOPMENT SERVICES DEPARTMENT

109 S. MCKINLEY AVENUE EMMETT, IDAHO 83617

**OFFICE OF THE ADMINISTRATOR
PLANNING & ZONING**

PHONE: (208) 365-5144

WEB PAGE: GEMCOUNTY.ORG

STAFF REPORT

DESCRIPTION: STANDARD SUBDIVISION PERMIT FOR DOBIE RANCH SUBDIVISION

FILE NUMBERS: PP-22-009

PLANNING AND ZONING COMMISSION HEARING DATE: OCTOBER 3, 2022

**APPLICANT: SINTRA, LLC
1125 W TWO RIVERS LANE
EAGLE, ID 83616**

PROPERTY OWNER: SAME

SITE LOCATION: EL PASO ROAD AND DOBIE ROAD, T 06N R 03W Section 28

STAFF PLANNER: JENNIFER KHARRL

1. APPLICATION SUMMARY & OVERVIEW

The applicant, El Paso Investments, LLC, on property owned by Sintra, LLC, has applied for a Standard Subdivision Permit application (referred to as "Preliminary Plat" (PP) herein) to construct a single-family residential development on approximately 102 acres on El Paso Road. The property is currently bare. The property is zoned A-3, Rural Agriculture.

The PP application proposes 17 building lots. The average building lot size is 5.80 acres. Individual wells and septic systems are proposed for each lot. Two new private roads are proposed through the development. A neighborhood meeting was held on June 7, 2022 and five (5) people attended the meeting.

The applicant is also requesting two exceptions to the Subdivision Ordinance (as allowed per Section 1-12) –to allow a block length over 1,200 feet without a secondary access and to allow a private road length over 1,000 feet without a secondary access. The applicant will be required to submit a letter from the Fire District regarding allowing the private roads without a secondary emergency access. The Commission must make a recommendation to the Board regarding whether to grant or deny the exception – only the Board may grant exceptions to the Subdivision Ordinance.

Application Review Process

Standard subdivisions require one public hearing before the Commission and one public hearing before the

Board. The Board is the final, decision-making body. The Commission must make a recommendation to the Board within 45 days after the public hearing.

Staff Recommendation

Staff finds the majority of the Comprehensive Plan policies and required findings support the approval of the PP application under the proposed conditions. (See further analysis in Sections 4 - 6 below.) If the Commission feels all requirements have been adequately addressed at the hearing, a recommendation can be sent to the Board.

2. APPLICATION & PROPERTY FACTS

A. Site Address/Location:

The property is located near the northwest corner of Dobie Road and El Paso Road. The property has approximately 940 feet of frontage along El Paso Road and approximately 1,203 feet of frontage along Dobie Road. The property is located in Section 28 of Township 6N, Range 3W.

B. Current Owner(s): Sintra, LLC

C. Applicant(s): Same

D. Present Zoning: A-3, Rural Agriculture (5-acre min. lot size)

E. Present Comprehensive Plan Designation: Agriculture/Natural Resources

F. Property Size: Approx. 102 acres

3. APPLICATION PROCESS FACTS

A. Pre-Application Conference & Neighborhood Meeting:

In accordance with Gem County Code 12-3-2, a pre-application conference was held on the PP application at the Development Services Department on May 25, 2022. A Notice to Proceed was issued on June 7, 2022. In accordance with Gem County Code 12-3-3, the applicant conducted a neighborhood meeting on June 7, 2022.

B. Application Submittal:

The complete Preliminary Subdivision application for this item was received by the Development Services Department on July 7, 2022.

C. Notice of Public Hearing:

Notice of Public Hearing on the application for the Gem County Planning and Zoning Commission was published in accordance with requirements of Title 67, Chapter 65, Idaho Code and Gem County Code 11-15-5 on September 14, 2022. Notice of this public hearing was mailed to property owners within 300 feet of the subject property in accordance with the requirements of Title 67, Chapter 65, Idaho Code and Gem County Code 11-7-6 on September 2, 2022. The physical property was posted for the public hearing on September 9, 2022. Requests for all impact agencies' reviews were mailed on September 2, 2022.

D. Relevant Ordinances and Required Actions:

The Standard Subdivision Permit application review process is outlined in Gem County Code 12-3-8. Standard subdivisions require a public hearing before the Planning and Zoning Commission and the Board of County Commissioners ("Board"). The Administrator makes a recommendation to the Commission; the Commission reviews and makes a recommendation to the Board, and the Board is the final, decision-making body (after holding a second public hearing of their own). A final written decision for approval,

approval with conditions or denial must be issued by the Board within 30 days of the close of their public hearing (GCC 12-3-8-5).

E. History of Previous County Actions on Property. None.

F. Companion Applications: Private road applications.

4. LAND USE

A. Existing Land Use(s): Irrigated pasture land.

B. Description of Character of Surrounding Area: The immediate vicinity includes a combination of pasturelands and low-density single-family residential properties.

C. Adjacent Comprehensive Plan, Zoning and Land Use:

	COMP PLAN DESIGNATION	ZONING DESIGNATION	LAND USE
North of site	Agriculture/Natural Resources	A-3, Rural Agriculture	pastureland; rural residential
South of site	Agriculture/Natural Resources	A-3, Rural Agriculture	pastureland; rural residential
East of site	Agriculture/Natural Resources	A-3, Rural Agriculture	pastureland; rural residential
West of site	Agriculture/Natural Resources	A-3, Rural Agriculture	pastureland; C-Line Canal West

D. Physical Constraints and Opportunities:

1. Wastewater & Domestic Water: The applicant intends to provide individual wells and septic systems within the development.
2. Vegetation: Pastureland
3. Floodplain: The property is located out of any flood mapped areas.
4. Canals/Ditches/Irrigation/Creeks: The C-Line Canal West runs along the majority of the property. The property lies within the boundaries of the Black Canyon Irrigation District jurisdiction.
5. Hazards: The **C-Line Canal West** runs along the majority of the property. 8 of the 17 proposed building lots abut the canal. The application does not indicate how the canal will be addressed for any child safety measures. No measures are required by ordinance, but the Commission and Board should give special consideration to the ditch (given its size and impact on the site). This and any other potential hazards should be addressed by the applicant at the public hearing.

F. Streets and/or Access Information: The plat proposes to construct two new private roads to serve the Lots. All Lots will access the private roads. Access will be prohibited from EL Paso Road and Dobie Road except for the two private roads.

5. COMPREHENSIVE PLAN POLICIES & GOALS [Staff comments and analysis are shown in *italics*.]

The Comprehensive Plan **Future Land Use Map** identifies the subject property as "Agriculture/Natural

Resources”.

The Comprehensive Plan defines the “Agriculture/Natural Resources” category (in **Chapter 12,**) as follows:

“Irrigated and non-irrigated lands located throughout the county that consist of a diversity of natural resource-based land uses, including crops, pastures, grazing, mining, forestry and similar industries that are land-dependent.”

The Plan also notes that “this is an area where the community recognizes that there will be rural residential in long-range planning, but the purpose of this land-use policy is to buffer agricultural pursuits and to provide guidelines for conversion to future rural residential development of 1 unit to 40 acres or more. . New building and development within the Agriculture/Natural Resources area is based upon the existing zoning.”

This property is located in A-3 zone and within the Agriculture/Natural Resources designation of the Future Land Use Map. The property contains 102 acres all proposed lots will meet the minimum zoning requirement.

Supporting Policies/Goals

The Comprehensive Plan includes the following policies that generally support this application:

- Natural Resources, 6.11 – Prevent contamination of groundwater from sewage and wastewater through appropriate planning, treatment and through regulations.
The proposed plan appears to conform with SWDH standards, as preliminarily determined by SWDH staff during on-site visits for this application. This will be determined during the Subdivision Engineering Report (SER) process.
- Housing, 3.1.1 Encourage the provision of quality and diverse housing, as well as creative subdivision designs, of all price ranges for present and future residents.
- Housing, 3.1.3 – Encourage compatible infill development, which will complement existing neighborhoods.
- Housing, 3.1.8 Rural residential and small ranchette type development shall be encouraged in areas where it is compatible with existing agricultural and ranching development.
- Natural Resources, 6.10 – Manage storm water generation and disposal consistent with best-available technology to prevent degradation of water quality and natural resources.
The developer will be required to contain all stormwater run-off on site. An engineered plan is required to be submitted as part of the construction drawings to be reviewed by the County Engineer.
- Transportation, 10.1.4 Encourage clustering of uses and access points along arterials where applicable by land use
- Land Use, 12.2.1 – Encourage the provision of quality and diverse housing, as well as creative subdivision designs, of all price ranges for present and future residents.

6. ZONING ORDINANCE [Staff comments and analysis are shown in *italics*.]

Gem County Code 11-4-3.A lists the purpose of the A-3 zone as follows: “Lands lying within those unincorporated portions of Gem County that are restrained by topography and/or vehicular access and are intended to remain rural in nature without urban development. The regulations governing this zone are designed to protect long-term agricultural pursuits” The A-3 zone has a five (5) acre minimum lot size requirement.

The property is found to comply with the intent and purpose of the A-3 zone to allow single-family uses on 5-acre lots.

Attached Exhibits

- Exhibit A – Required Findings
- Exhibit B – Proposed Conditions of Approval
- Exhibit C – Proposed Preliminary Plat

EXHIBIT A

REQUIRED FINDINGS FOR STANDARD SUBDIVISION PERMIT Dobie Ranch Subdivision (File #PP-22-009)

GCC 12-3-8-6 outlines the following required findings the County must make before an application can be approved. It states that “No standard subdivision permit application shall receive a recommendation of approval from the Commission or be approved by the Board unless each of the following findings and conclusions are made.” There are nine (9) required findings. Each of these is listed below with staff comments and analysis shown in *italics* below each one. The Commission or Board may agree, disagree, and/or modify staff’s proposed findings, but a finding cannot be omitted altogether. Each finding must be found to be either in favor or not in favor of the application.

1. Adequate provisions have been made for a domestic water supply system that meets or exceeds the adopted water quality standards within Gem County and the State of Idaho.

The applicant is proposing private, individual domestic wells for each lot, which is permitted under Gem County Code for lots in the A-3 zone. Gem County Code doesn’t require a public drinking water system in the A-3 zone. This means the subdivision is not subject to the DEQ rules for a public drinking water system, which is defined by DEQ in the Idaho Administrative Code as having at least 15 service connections or serving 25 individuals daily at least 60 days out of the year. Gem County does not have any adopted water quality standards separate from the State of Idaho (DEQ or IDWR). Neither the SWDH or DEQ have testing requirements for private wells, so it is incumbent upon each property owner to have their individual wells tested. SWDH recommends testing at least one time per year, especially since contaminant levels can fluctuate. It is unlikely that each property owner will have their wells tested this often.

Domestic wells (those used for homes and other drinking purposes, used to irrigate no more than a ½ acre of land, and where no more than 13,000 gallons per day is used) are exempt from having to obtain a water right under Idaho statute.

The Department of Water Resources was sent a copy of the plat application but no response was received regarding the water supply.

The proposed subdivision complies.

2. Adequate provisions have been made and approvals from the health authority sought for treatment of wastewater within the subdivision.

An on-site, Pre-Development Meeting with Southwest District Health was held. Their preliminary review does not indicate any potential problems with individual systems. Upon submittal of the Final Plat application, the applicant will need to comply with SWDH requirements including hiring an engineer to supply a Subdivision Engineering Report (SER) and septic permits must be issued before any building permits are released by Gem County. DEQ standards shall be required as administered by Southwest District Health Department (SWDH).

3. Proposed streets are consistent with the transportation element of the Comprehensive Plan and meet Gem County Road and Bridge Department Standards.

The plat proposes to construct two new private roads to serve the subdivision. El Paso Road is classified as a Minor Collector roadway and requires a minimum 80-foot right-of-way width and Dobie Road is classified as a Local Road and requires a minimum 60-foot right-of-way width. The applicant is proposing to dedicate 40-feet of public right-of-way from the centerline of El Paso Road and 30-feet of public right-of-way from the centerline of Dobie Road to meet this requirement.

The Gem County Road & Bridge Department (Neal Capps) was notified of the application and responded in writing regarding the new approaches off of El Paso Road and Dobie Road.

4. **All areas of the proposed subdivision that may involve soil or topographical conditions presenting hazards have been identified and that the proposed uses of these areas are compatible with such conditions.**

Staff is not aware of any soil or topographical conditions that may present a hazard within this development.

5. **The area proposed for subdivision is zoned for the proposed use and the use conforms to other requirements found in the Gem County Code and the Comprehensive Plan.**

The subject property is zoned A-3, Rural Agriculture, and is within the Agriculture/Natural Resources designation on the Gem County Comprehensive Plan Future Land Use map. The A-3 zone allows for the development of single-family dwellings on minimum 5-acre lot sizes.

This minimum lot size is met with the Dobie Ranch Subdivision application and the plat states the proposed use is only single-family residential.

The Comprehensive Plan defines the "Agriculture/Natural Resources" area of the Future Land Use Map as being intended for agricultural pursuits and/or natural resource operations with "limited" residential uses. A section in Chapter 12 of the Plan states, "...this is an area where the community recognizes that there will be rural residential in long-range planning, but the purpose of this land use policy is to buffer agricultural pursuits. ..." The primary agricultural pursuit in this area is pasture activities. Other than houses, the overall character of the area should remain open, rural, and very low density (i.e. 5-acre lots or larger) to comply with the Comprehensive Plan goals.

6. **The applicant has made adequate plans to ensure that Gem County and its citizens will bear no more than their fair share of costs to provide services, by paying fees, furnishing land, or providing other mitigation measures for off-site impacts to streets, parks, and other public facilities within Gem County.**

El Paso Road is identified as a Minor Collector (80' total right-of-way width) with the Average Daily Traffic (ADT) volumes exceeding 8,500 vehicle trips per day at full build out and a 40' right-of-way from centerline is requested from the Gem County Road and Bridge Department and Dobie Road is identified as a Local Road (60' total right-of-way width) with the Average Daily Traffic (ADT) volumes exceeding 2,000 vehicle trips per day at full build out and a 30' right-of-way from centerline is requested from the Gem County Road and Bridge Department. Gem County Subdivision Ordinance (12-5-5) requires the area to be dedicated be free and clear of all liens and encumbrances, this included by is not limited to fences or structures.

In order to mitigate other impacts on the Gem County Road and Bridge system and other public facilities, the Board adopted an Impact Fee Ordinance which establishes impact improvement costs required for any new residence. This fee is required at the time of building permit issuance of a new residence.

The developer is also be responsible, at their cost, to ensure all proposed utilities are available to the subdivision. Future lot owners are responsible to pay for private wells, private septic systems and extending the utilities from the subdivision boundary to their house.

Other than these items, no other requests for public facilities have been made by other agencies and/or departments.

7. The proposed subdivision complies with the design and improvement standards set forth in this Ordinance.

GCC 12-6-1 sets the following standards for subdivision improvements:

- a) Natural Feature Areas – C-Line Canal West borders the property
- b) Utilities – the subdivision developer is responsible to extend power, phone and other proposed utilities to the subdivision boundary and provide utility easements to ensure each lot has legal access to said utility. Utilities will be more specifically designed at the time of Final Plat construction drawing submittal.
- c) Domestic Water Supply – individual domestic wells; to be constructed at time of future building permit – see Finding #1 above
- d) Irrigation – Black Canyon Irrigation District
- e) Sewage Disposal – individual septic systems to be approved via the SER; to be constructed at time of future building permit – see Finding #2 above
- f) Public & Private Streets – the required 40' ROW dedication of El Paso Road and the required 30' ROW dedication of Dobie Road is shown on the plat.
- g) Lots – The A-3 zone requires a five (5) acre minimum lot size. As the applicant is proposing 5.00+ acre parcels, this standard has been met.
- h) Remainder lots – n/a
- i) Blocks – n/a
- j) Drainage – suitable drainage facilities required; will be reviewed by County Engineer at time of construction drawing submittal
- k) Park or School Site Dedication – n/a
- l) Public Access Easements – n/a
- m) Easements – All required easements will be more specifically designed for the Final Plat

8. The proposed subdivision, when applicable, meets any standards for subdivision in floodplain or hillside areas.

This subdivision does not qualify as a Floodplain Subdivision or Hillside subdivision.

9. The proposed subdivision complies with all other standards set forth in this Ordinance or any other applicable ordinance or statute.

Staff finds that the following standards have not been met at this time:

- *Gem County Code, Title 12-6-1.F.4.c states that if the private road is more than 1,000 feet in length, a secondary emergency access must be provided. This is something the Board of County Commissioners can waive if they agree to it.*

- *Gem County Code, Title 12-6-1.M.2 states that any residential block length greater than 1,200 feet in length shall provide the necessary mitigation as required by the fire authority having jurisdiction. Final mitigation requirements shall be determined during the Board review and made conditions of approval. This is something the Board of County Commissioners can waive if they agree to it.*

Otherwise, the application is found to comply with the standards of Gem County Code, Title 12.



the Hobbs Ranch
Subdivision
Concerns.

I am Karen Youngstrom and was
asked to give you my concerns on
this subdivision.

They are the same as they
were and are for the El Paso subdivision.

The water and septic systems.

There will be 33 new houses out
here if these all pass, all on the
same aquifer. All in a one mile
area. And the septic systems, true
we have sandy soil here and it works
like a filter, but filters can quit. and
where does the water go from the system
Right into the aquifer. We may be farmers
But not stupid ones. With the drought
we have our water supply are

lowering, and the waste water from the septic systems ~~not~~ I am really concerned. I had to drill a new well 2 yrs ago because it caved in and the old well was 210' deep. when we milked cows we couldn't have any sprinkles running at the house because we didn't have water at the Barn. ~~It~~

I don't have \$30,000 to drill another well. the new well is down 300' and with

all the new houses going in that is

a lot of water being pumped. I have

lived here for 50 yrs and so have many

others, we like it here, if the new

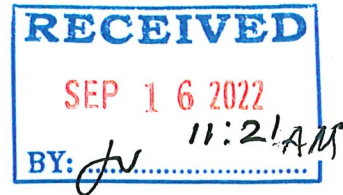
home owners move here for peace and

quiet it won't be that any more.

The taxes are going to go way up

and you can't say they won't.

I wish these land grabber would
just go back to the ~~city~~ city and
leave the farm ground alone.



September 15, 2022

Gem County Development Services Department
109 S. McKinley Ave.
Emmett, Idaho 83617

Dear Sir/Madam,

With the influx of people, to Idaho, trying to escape the chaos of liberal run cities and states, it is understandable that those people need housing. It is also a principle of a free society that property owners should be able to make use of their land as they see fit. However, the exercise of the rights of those property owners should not be allowed to infringe upon the privacy and lifestyle of other landowners who have chosen the El Paso Road area for its rural character.

El Paso Road is a semi-rural environment with a mixture of farmland and scattered residences. Landowners here have come to accept and embrace the semi-rural setting. To allow the development of an urban subdivision in that environment would drastically change the character of El Paso Road.

There are many properties near urban areas where such development would have much less environmental and social impact.

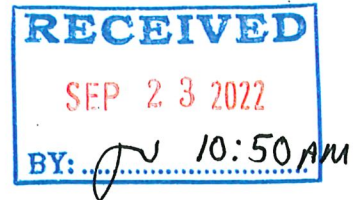
In the interest of those people who currently reside on El Paso Road, I urge you to deny further development of the property at the corner of Dobie Road and El Paso Road.

Thank you,

Dennis and Lindell Money

5555 El Paso Road
Caldwell, ID 83607

September 23, 2022



Gem County Development Services Department
Planning & Zoning
109 S. McKinley Avenue
Emmett, Idaho 83617

Re: Proposed Preliminary Subdivision Plat – Dobie Ranch

Planning & Zoning Commission:

The Dobie Ranch Preliminary Subdivision Application and Letter of Intent should be denied due to the countless errors throughout the document. A new Application and Letter of Intent should be submitted with the correct, legal information.

Master Public Hearing Application:

The document states that the Property Owner is El Paso Investments, LLC. (See Attachment 1 – Master Public Hearing Application) Idaho Secretary of State shows that El Paso Investments, LLC is owned by Kelly Fulfer, 2350 W McMillan Road, Meridian, Idaho 83646. (See Attachment 2 – Annual Report for El Paso Investments LLC) However, the Gem County Parcel Search shows that the property is owned by Sintra LLC. (See Attachment 3 – Gem County Parcel Search Snapshot) Further research shows the Sintra, LLC is owned by Robert Burnett, 1125 W Two Rivers Lane, Eagle, Idaho 83616. (See Attachment 4 – Annual Report for Sintra, LLC)

Letter of Intent:

The Dobie Ranch Subdivision, Letter of Intent, list incorrect information regarding this proposal. The incorrect number of acres and lots are listed. (See Attachment 5 – Letter of Intent, Dobie Ranch Subdivision)

Southwest District Health:

The Letter of Intent contradicts the estimated water depth in this area. Under the Sanitary Sewer it states that ground water is anticipated to be greater than 50 to

100 feet below ground surface. However, under the domestic water, it states that water is between 50 to 80 feet below ground surface. (See Attachment 6 – Letter of Intent, Domestic Water and Sanitary Sewer)

We are requesting that Southwest District Health participate in test pits for each individual lot, just like they did with the El Paso Reserve Subdivision, PRIOR to approval of Preliminary Plat. All factors need to be examined, especially the concern for nitrates from the increase of septic drain fields, in an area that is not used to holding 17 septic drain fields. Instead of anticipating that there will be no major concerns, as stated in the Letter of Intent. The additional lots from El Paso Reserve Subdivision (18 lots), need to be accounted for with testing and outcome.

Domestic Water Wells:

We are requesting additional studies on how adding 35 domestic wells within a mile radius in the next 24-36 months will affect current domestic wells and the water table. The letter of Intent states that's the anticipated use at a four-bedroom home is 300 gallons per day. How will 35 homes, each using approximately 300 gallons of water a day, 365 days of the year affect the water table. That's approximately 3,832,500 gallons of water a year.

We are requesting additional testing to verify water quantity and to confirm sufficient quantity to meet foreseeable demands. Includes the additional El Paso Reserve lots (18). (See Attachment 7 – Subdivision Design and Improvements Standards)

Access/Private Roads:

The Letter of Intent states that the private roads will meet and exceed the required county standards. However, both Keshen Lane and Alistair Lane exceed the block length over 1,000 feet without a secondary access. And exceed the private road length over 1,200 feet without a secondary access. (See Attachment 8 – Subdivision Design and Improvements Standards). We are asking that an exception to these Ordinances not be approved. We would also like the developer to conduct a study with the assistance of Gem County Road and Bridge to see how the traffic from Keshen Lane and Alistair Lane will impact Dobie Road and El Paso Road, along with the placements of these entrances.

Attachment 1 – Master Public Hearing Application



MASTER PUBLIC HEARING APPLICATION

GEM COUNTY DEVELOPMENT SERVICES

109 SOUTH MCKINLEY, EMMETT, IDAHO 83617 WWW.GEMCOUNTY.ORG PHONE: (208) 365-5144

TYPE OF APPLICATION: (PLEASE CHECK ALL THAT APPLY.)

- | | | |
|--|--|---|
| <input type="checkbox"/> APPEAL | <input type="checkbox"/> PLANNED COMMUNITY | <input type="checkbox"/> SUPPLEMENTAL AMENDMENT |
| <input type="checkbox"/> COMPREHENSIVE PLAN TEXT AMENDMENT | <input type="checkbox"/> REZONE | <input type="checkbox"/> VACATION |
| <input type="checkbox"/> COMPREHENSIVE PLAN MAP AMENDMENT | <input type="checkbox"/> SPECIAL USE PERMIT | <input type="checkbox"/> VARIANCE |
| <input type="checkbox"/> DESIGN REVIEW | <input type="checkbox"/> SPECIAL USE PERMIT (MINERAL EXTRACTION) | <input type="checkbox"/> ZONING TEXT AMENDMENT |
| <input type="checkbox"/> DEVELOPMENT AGREEMENT | <input checked="" type="checkbox"/> SUBDIVISION, PRELIMINARY | |
| <input type="checkbox"/> PLANNED UNIT DEVELOPMENT | <input type="checkbox"/> SUBDIVISION, MODIFICATION | |

PROJECT

NAME: Dobie Ranch Subdivision

SITE INFORMATION:

(This information can be found on the Assessor's property information assessment sheet.)

Quarter: SE Section: 28 Township: 6N Range: 3W Total Acres: 102.01
 Subdivision Name (if applicable): Dobie Ranch Subdivision
 Site Address: 00000 EL Paso Road Lot: _____ Block: _____
 City: _____
 Tax Parcel Number(s): RPO6N03W2872-01 Current Zoning: _____ Current Land Use: _____

PROPERTY OWNER:

Name: EL Paso Investments, LLC

Address: 2350 W. McMillan Road

City: Meridian State: ID Zip: 83646

Telephone: (208) 870-5991

Email: invest1977@yahoo.com

APPLICANT:

Name: _____

Address: SAME AS OWNER

City: _____ State: _____ Zip: _____

Telephone: _____

Email: _____

I consent to this application and allow Development Services staff to enter the property for site inspections related to this application.

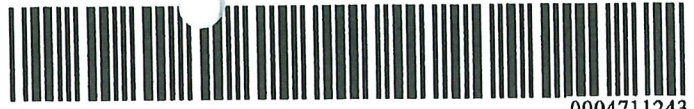
I certify this information is correct to the best of my knowledge.

[Signature] 7-6-22
 Signature: (Owner) Date

[Signature] 7-6-22
 Signature: (Applicant) Date

File No.: 22-009 OFFICE USE ONLY
 Received By: SC Date: 7/7/22 Fee: \$1380⁰⁰ Receipt No: 22-312

Attachment 2 – Annual Report for El Paso Investments LLC



0004711243

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0004711243

Date Filed: 4/21/2022 7:57:16 AM

Entity Name and Mailing Address:

Entity Name:

El Paso investments llc

The file number of this entity on the records of the Idaho

0004211918

Secretary of State is:

Address

KELLY

2350 W MCMILLAN RD

MERIDIAN, ID 83646-5148

Entity Details:

Entity Status

Active-Existing

This entity is organized under the laws of:

IDAHO

If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:

The registered agent on record is:

Registered Agent

Kelly Fulfer

Registered Agent

Physical Address

2350 W MCMILLAN RD

MERIDIAN, ID 83646

Mailing Address

2350 W MCMILLAN RD

MERIDIAN, ID 83646-5148

Limited Liability Company Managers and Members

Name	Title	Business Address
Kelly G Fulfer	Manager	2350 W MCMILLAN RD MERIDIAN, ID 83646

The annual report must be signed by an authorized signer of the entity.

Job Title: manager

kelly g fulfer

Sign Here

04/21/2022

Date

Attachment 3 – Gem County Parcel Search Snapshot



Directions

TAXING DISTRICTS

GOOGLE

GOOGLE STREET VIEW

DETAILS

IMPROVEMENTS

PRINT PAGE

Parcel Details

PIN:

RP06N03W287201

Owner 1

SINTRA LLC

Owner 2:

Situs Address:

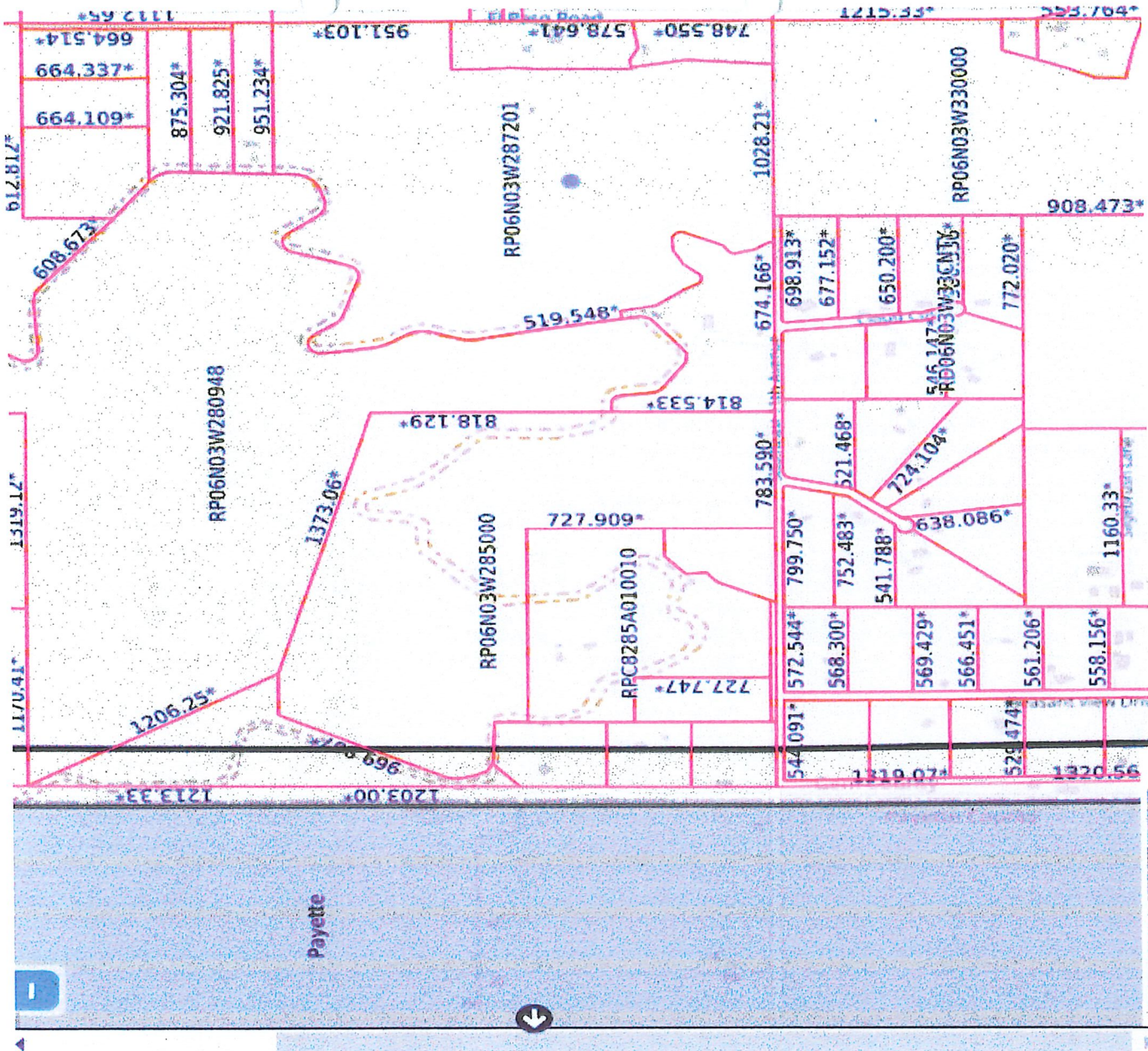
Legal Address:

Deeds:

341670 WD , , , ,

Acres:

102.008



Attachment 4 – Annual Report for Sintra, LLC



0004575191

**STATE OF IDAHO**

Office of the secretary of state, Lawrence Denney

CERTIFICATE OF ORGANIZATION LIMITED LIABILITY COMPANY

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: \$100.00

For Office Use Only

-FILED-

File #: 0004575191

Date Filed: 1/18/2022 8:51:22 PM

Certificate of Organization Limited Liability Company					
Select one: Standard, Expedited or Same Day Service (see descriptions below)	Standard (filing fee \$100)				
1. Limited Liability Company Name					
Type of Limited Liability Company	Limited Liability Company				
Entity name	SINTRA LLC				
2. The complete street address of the principal office is:					
Principal Office Address	1125 W TWO RIVERS LN EAGLE, ID 83616				
3. The mailing address of the principal office is:					
Mailing Address	1125 W TWO RIVERS LN EAGLE, ID 83616-7129				
4. Registered Agent Name and Address					
Registered Agent	Registered Agent Robert B Burnett Physical Address: 1125 W TWO RIVERS LN EAGLE, ID 83616-7129 Mailing Address: 1125 W TWO RIVERS LN EAGLE, ID 83616-7129				
<input checked="" type="checkbox"/> I affirm that the registered agent appointed has consented to serve as registered agent for this entity.					
5. Governors					
<table border="1"><thead><tr><th>Name</th><th>Address</th></tr></thead><tbody><tr><td>Robert B Burnett</td><td>1125 W TWO RIVERS LN EAGLE, ID 83616-7129</td></tr></tbody></table>		Name	Address	Robert B Burnett	1125 W TWO RIVERS LN EAGLE, ID 83616-7129
Name	Address				
Robert B Burnett	1125 W TWO RIVERS LN EAGLE, ID 83616-7129				
Signature of Organizer:					
<u>Robert B Burnett</u>	<u>01/18/2022</u>				
Sign Here	Date				

B0677-2842 01/18/2022 8:53 PM Received by ID Secretary of State Lawrence Denney

Attachment 5 – Letter of Intent, Site and Preliminary Plat

**LETTER OF INTENT
DOBIE RANCH SUBDIVISION (17 Lots)
Gem County, ID: SE ¼ Sec. 28, T6N, R3W
El Paso Investments, LLC, Kelly Fulfer**

August 28, 2022

Gem County Development Services
415 E. Main Street,
Emmett, ID 83617

Dear Development Services,

It is a pleasure to submit the Preliminary Plat for Dobie Ranch Subdivision, The site is located west of El Paso Road and north of Dobie Road. The application has been submitted per the standards set forth in the Gem County Development Code.

SITE AND PRELIMINARY PLAT

Dobie Ranch includes seventeen lots with the smallest lot being five acres. The current zoning of the development is A-3, Rural Agricultural (5-acre minimum). Dobie Ranch Subdivision is 72.4 acres. The intent is to provide 13 rural residential lots, 5 acres or larger for single family homes. Homes will be custom built like the homes currently being constructed for El Paso Reserve Minor Subdivision.

Domestic Water and Sewer: Water and sewer will be served by individual wells and septic systems. Owners has met with Southwest District Health (SWDH) participating in a pre-development conference. It is believed that all concerns are addressed or being addressed. An Engineering report will be filed with SWDH following the test pit exploration on this site. It is anticipated that there will be not major concerns with SWDH.

Domestic Water: Well logs have been reviewed from the area with the water between 50 to 80 feet below ground surface. Most well are pumping from 150 to 220 feet below ground surface. Well yields during the test pumping have been as high as 75 gallons per minute for 180 minutes. This far exceeds the needs of domestic wells. IDEQ limits the flow of individual wells used for residential homes, thus, minimizing the use of groundwater. The anticipated use at a four-bedroom home is 300 gallons per day.

Sanitary Sewer: Sewer will include a septic tank and drain field for each lot. The drain field will drain into a sandy loam material on each lot. This material is acceptable for small residential drain field systems. This area soils tends to have layers, or lenses of sand, loamy sand, and clay. Well logs also support this. This is an excellent area for domestic drain fields. Ground water is anticipated to be greater than 50 to 100 feet below ground surface

Pressure Irrigation: Irrigation water will be provided by a pressure irrigation system. The system will be owned and operated by a homeowner's irrigation association. Irrigation water is

Attachment 6 – Letter of Intent, Domestic Water and Sanitary Sewer

**LETTER OF INTENT
DOBIE RANCH SUBDIVISION (17 Lots)
Gem County, ID: SE ¼ Sec. 28, T6N, R3W
El Paso Investments, LLC, Kelly Fulfer**

August 28, 2022

Gem County Development Services
415 E. Main Street,
Emmett, ID 83617

Dear Development Services,

It is a pleasure to submit the Preliminary Plat for Dobie Ranch Subdivision, The site is located west of El Paso Road and north of Dobie Road. The application has been submitted per the standards set forth in the Gem County Development Code.

SITE AND PRELIMINARY PLAT

Dobie Ranch includes seventeen lots with the smallest lot being five acres. The current zoning of the development is A-3, Rural Agricultural (5-acre minimum). Dobie Ranch Subdivision is 72.4 acres. The intent is to provide 13 rural residential lots, 5 acres or larger for single family homes. Homes will be custom built like the homes currently being constructed for El Paso Reserve Minor Subdivision.

Domestic Water and Sewer: Water and sewer will be served by individual wells and septic systems. Owners has met with Southwest District Health (SWDH) participating in a pre-development conference. It is believed that all concerns are addressed or being addressed. An Engineering report will be filed with SWDH following the test pit exploration on this site. It is anticipated that there will be not major concerns with SWDH.

Domestic Water: Well logs have been reviewed from the area with the water between 50 to 80 feet below ground surface. Most well are pumping from 150 to 220 feet below ground surface. Well yields during the test pumping have been as high as 75 gallons per minute for 180 minutes. This far exceeds the needs of domestic wells. IDEQ limits the flow of individual wells used for residential homes, thus, minimizing the use of groundwater. The anticipated use at a four-bedroom home is 300 gallons per day.

Sanitary Sewer: Sewer will include a septic tank and drain field for each lot. The drain field will drain into a sandy loam material on each lot. This material is acceptable for small residential drain field systems. This area soils tends to have layers, or lenses of sand, loamy sand, and clay. Well logs also support this. This is an excellent area for domestic drain fields. Ground water is anticipated to be greater than 50 to 100 feet below ground surface

Pressure Irrigation: Irrigation water will be provided by a pressure irrigation system. The system will be owned and operated by a homeowner's irrigation association. Irrigation water is

Attachment 7 – Subdivision Design and Improvements Standards

CHAPTER 6

SUBDIVISION DESIGN AND IMPROVEMENT STANDARDS

SECTION:

12-6-1: Standards Enumerated

12-6-1: STANDARDS ENUMERATED:

All proposed subdivisions must comply with the following design and improvement standards where applicable. No waiver of any of these standards may be granted except pursuant to section 12-1-12 of this title.

A. Other Regulations: To the extent applicable, subdivision proposals shall comply with:

1. The following titles of this code (or those which supersede):
 - a. Any chapter of title 4, "Public Health And Safety";
 - b. Any chapter of title 8, "Sanitary Code";
 - c. Any chapter of title 9, "Building Regulations", with the recommendation or approval of the building official and fire official in an established district;
 - d. Any chapter of title 13, "Flood Control";
 - e. The adopted comprehensive plan.

2. Adopted Idaho transportation department standards, if the applicant seeks a new or expanded access onto a state highway.

B. Natural Feature Areas: Where practicable, the following specific areas regardless of location shall be left undeveloped and undisturbed:

1. Unique or fragile areas such as geologic features, floodways (as determined by title 13 of this code), and wetlands;
2. Areas of natural vegetation, including unique landscapes, large individual trees, and stands of trees. A plan for landscape protection, tree preservation, and tree introduction may be required;
3. Areas of significant value to wildlife;
4. Historically significant structures or sites; and
5. Natural drainage channels or watercourses.

C. Utilities: Any new utilities proposed or required for a subdivision shall be installed by the applicant unless such subdivision contains rural lots of two (2) acres or more. In such a subdivision, the applicant must provide easements for future utilities. Such utilities must include underground service connections for (to) each platted lot. Service feeder lines into the subdivision from the exterior utility point of feed shall be installed underground, beginning at the subdivision boundary. Utilities can be overhead or underground to the subdivision boundary.

D. Water Supply:

1. General Requirements:

- a. All domestic water sources shall meet state and federal standards for drinking water, wells, separation from sewage disposal systems and any other related requirements.
- b. Fire protection systems shall meet local fire code requirements.
- c. All abandoned wells shall be sealed to prevent contamination of groundwater.
- d. The requirements of Idaho Code section 42-111 for domestic water limits and section 50-1334 for subdivision water systems shall be satisfied.
- e. Domestic water shall be available in sufficient quantity to meet foreseeable demands. Where insufficient data is available to verify water quantity, an on site test well in the area of the proposed use shall be required.

2. Central Water Systems:

- a. Central or community water systems shall be required for subdivisions where any lot is one acre or less in size or in any subdivision located in an R-2 zone.
- b. The central water system requirement shall be met by establishment of one of the following:
 - (1) A water district formed under state law and acceptable to the Idaho department of environmental quality ("DEQ"). A copy of the final DEQ approval shall be provided in writing to the county.
 - (2) A private user's agreement addressing the operation, maintenance and ongoing monitoring of the central water

Attachment 8 – Subdivision Design and Improvements Standards

If the requirement by a governmental entity to dedicate public right of way reduces the property to be developed in such a manner that lot layout, in minimum sizes as required by that zone, cannot be accomplished without creating one substandard sized lot, then one such lot may be created as long as its size is not less than eighty percent (80%) of the size required in that zone. Such lot shall not be considered substandard and will be considered to meet minimum lot size for purposes of development.

a. Roads shall be arranged in proper relation to topography so as to result in usable lots, safe roads and acceptable gradients.

b. Local roads shall be arranged to discourage through traffic.

c. Dead end roads are prohibited. Stub roads with a temporary cul-de-sac may be permitted in anticipation of a future through road. When a temporary cul-de-sac is removed by extension of the road, it shall be the responsibility of the party or parties extending said road to relocate the curbs, gutters, sidewalk and road, if any, to county standards. It shall also be the responsibility of said parties to restore that portion of lot or lots affected by said extension to a reasonable and usable condition.

d. Cul-de-sac roads shall be discouraged. However, when topography or planning considerations dictate their use, cul-de-sacs shall:

(1) Include a right of way measuring sixty feet (60') in radius at the terminus;

(2) If offered for dedication to the county, meet county road specifications and include an entirely paved terminus measuring fifty feet (50') in radius;

(3) Have the length be designed in accordance with the fire district specifications, but no more than one thousand feet (1,000') without a secondary means of vehicular access provided. All designs shall require approval of the local fire authority and additional conditions may be applied.

The board shall have the explicit option of accepting or rejecting the road for dedication to the county.

e. Half roads shall be prohibited except where satisfactory assurance for dedication of the other half is provided. If a half road right of way is accepted, the road section shall be designed for two-way traffic and include all required drainage facilities for said road.

f. If the requirement to dedicate public right of way on roads classified as collector or arterial reduces the property to be developed in such a manner that lot layout, in sizes as required by that zone, cannot be accomplished without creating one substandard sized lot, then one such lot may be created as long as its size is not less than eighty percent (80%) of the size required in that zone. Such lot shall not be considered substandard and will be considered to meet the minimum lot size for purposes of development.

4. Private Roads Or Drives:

a. If a private drive serving two (2) dwellings is required, the developer/subdivider will have responsibility for construction of the drive as a subdivision improvement.

b. Private roads proposed to serve new subdivisions will only be authorized if:

(1) The proposed subdivision is not adjacent to any other parcel that may be subdivided to the minimum lot size of the existing zone and which requires vehicular access through the proposed subdivision in the future. This must be demonstrated through a legally recognized tool (e.g., a permanent conservation easement) or through topography and/or other natural barriers. If the parcel adjacent to the proposed subdivision cannot be subdivided in such a manner as to create more than a cumulative total of ten (10) building lots or parcels on the same private road (which includes all existing and potential building lots or parcels), then a private road may be authorized to serve the new subdivision. (The intent of this section is to preserve a potential access corridor and not to require the improvement of said corridor if a subdivision does not create the need for the road.)

c. If the above criteria is met, then the following shall also apply before a private road will be authorized:

(1) The proposed subdivision does not have legal frontage on a public road and utilizes an existing private road or road easement for access. Under this circumstance, the subdivider shall obtain written consent from the road easement grantor approving of the proposed subdivision and expanded use of the easement. In addition, the subdivider must provide an updated maintenance agreement or user's association document with the subdivision application that clearly demonstrates the private road will be adequately maintained; or

(2) The proposed subdivision has legal frontage on a public road and cannot be subdivided in such a manner as to create more than a cumulative total of ten (10) building lots or parcels on the same private road (which includes all existing and potential building lots or parcels).

d. If a private road is authorized under the above criteria, the following conditions shall apply:

(1) A private road name application must be submitted at the time of subdivision application (for new private roads);

(2) The private road may serve no more than ten (10) building parcels and/or lots;

(3) If the private road is more than one thousand feet (1,000') in length (measured from the right of way line of the

9. Distance From Power Lines: No residential building or structure for human habitation shall be located within one hundred fifty feet (150') of the centerline of a power transmission line.

10. Flag Lots: Flag lots will be allowed under the following conditions:

a. The pole portion of the lot which touches the public or private access is at least forty feet (40') in width on lots forty (40) acres or less in size, or at least sixty feet (60') in width on lots more than forty (40) acres in size or at least fifty feet (50') in width on any lot within the Emmett area of city impact.

b. The length of the pole portion of the lot does not exceed fire department regulations.

c. All other portions of this code apply to the lot bulk and placement.

d. Required setbacks shall be measured from the nonpole portion of the lot.

L. Remainder Parcels/Lots: If subdividing land under one deed in phases, all land described by that deed shall be included in the boundaries of the preliminary plat and all land included in the phase being developed will be included in the final plat. Any land within the plat reserved for future division shall be platted as lots that meet the minimum dimensional standards for the zone in which they are located, and meet all other applicable land use ordinances.

M. Blocks:

1. The length, widths, and shapes of blocks shall be determined with due regard to:

a. Provision of adequate building sites suitable to the special needs of the type of use contemplated including the base district requirements as to property sizes and dimensions.

b. Avoiding double front lots. If unavoidable, one of the frontages shall be restricted from vehicular access.

c. Needs for convenient access, circulation, control, and safety of road traffic. The number of intersecting roads with arterials of all classes shall be held to a minimum.

d. The limitations and opportunities of topography.

2. Any residential block length greater than one thousand two hundred feet (1,200') in length shall provide the necessary mitigation as required by the fire authority having jurisdiction. Emergency access mitigation options shall be identified and presented in writing at the time of subdivision application. Final mitigation requirements shall be determined during the board review and made conditions of approval.

3. Pedestrian access rights of way not less than ten feet (10') wide may be required for walkways through or across a block when deemed desirable to provide circulation, or access to schools, playgrounds, shopping centers, transportation, and other community facilities. Said access right of way shall be a separate platted lot.

The board may review and modify block sizes.

N. Utilities: The applicant shall:

1. Grant a public and private utility easement of an adequate width (typically 5 to 10 feet) to comply with all utility companies and other potential easement users in all required locations on the plat (see subsection R of this section for additional easement requirements); and

2. Install utilities prior to road surfacing; and

3. Obtain services of a qualified testing firm to pressure test all central or community water and sewer main lines and TV inspect all sewer main lines. Paving of roads will not be done until testing and inspection of the water and sewer main lines show they meet requirements of the "Idaho Standards For Public Works Construction".

O. Drainage:

1. The applicant shall provide suitable drainage facilities for any surface runoff from within or upstream of the subdivision. On site natural drainage channels, gullies, ditches and ravines shall be used whenever possible. To avoid soil erosion and manage nutrients, sediment catchment basins may be required. The applicant shall follow the stormwater, erosion and drainage requirements of section 11-6-11 of this code.

2. Where a subdivision contains a stream, watercourse, drainageway, channel or ditch, an easement shall be provided adequate to contain that watercourse and any further width necessary for maintenance or reconstruction.

3. Drainage systems shall not discharge into any sanitary sewer facility.

4. When the proposed subdivision or any part thereof falls within the boundaries of a mosquito abatement district, all drainage plans and systems shall follow the guidelines of such district.

P. Park Or School Site Dedication: Based on a recommendation regarding the suitability of the site from the recreation or school district, an applicant may be required to provide either land or a financial contribution or both for playgrounds, recreation space or a school site based on a rationally related formula determined by a resolution or ordinance of the board.

Q. Public Access Easements: The board may require an access easement to publicly administered land, streams, rivers, lakes and reservoirs. An applicant shall clearly delineate for the public the location of any access easement by appropriate

**Petition to Stop The
Proposed Dobie Ranch 17 Lot Subdivision
Gem County, ID: SE ¼ Sec. 28, T6N, R3W
El Paso Investments, LLC, Kelly Fulfer**

NAME:	ADDRESS:	SIGNATURE:
DEBORAH WEAVER	4185 County Line Rd	Deborah M. Weaver
Frances Gale	6930 El Paso Caldwell, ID 83607	Frances Gale
Bennie? Kevin Keller	7366 Tunning Pl. Caldwell, ID 83607	Bennie Keller
Vicki Holmes	6345 El Paso Rd Caldwell ID 83607	Vicki Holmes
KAREN Youngstrom	6355 EL PASO Rd Caldwell, ID 83607	Karen Youngstrom
Brittney Ketcherside	7353 Cloud Ct Caldwell, ID 83607	Brittney K
Rignee DenBeste	6805 El Paso Road Caldwell, ID	Rignee DenBeste

Dobie Ranch Subdivision

Sept. 23
2022

Gem County SE 1/4 Sec 28 T6N R3W

Tax Parcel # RP 06 N 03 W 28 7201

My concerns with the Dobie Subdivision
is Wells, Sptic and irrigation Systems

I would like to see an impact study
on the effects of ~~diff~~ individual wells
and Sepsis verses Community wells and
Septic System treatment for the development
of Subdivision

I would also like to see more responsibility
be put on the LHC companies, developing
Subdivision. Made to prove that all systems
work as promise before selling any lots or
houses.

Vicki Holmes
6345 El Paso Rd
Caldwell Idaho
83607

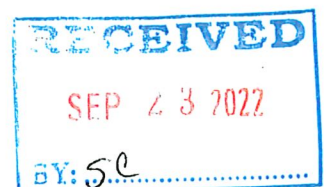


EXHIBIT B

STAFF RECOMMENDED CONDITIONS OF APPROVAL DOBIE RANCH SUBDIVISION (#PP-22-009)

General Conditions

1. The Preliminary Plat for “Dobie Ranch Subdivision” by Eagle Land Surveying, Jeremiah Fielding, PLS, is approved with conditions, as noted below.
2. The applicant shall comply with the conditions/comments of the following impact agencies:
 - a. Gem County Treasurer (9/12/22) (*this condition does not technically apply until Final Plat*)
 - b. Keller Associates (County Engineer (9/23/22)
 - c. Gem Soil and Water Conservation (9/12/22)
 - d. Gem County Road and Bridge (9/23/22)
 - e. Middleton Fire District (9/1/22)
3. The Final Plat application shall be filed in accordance with the timeframes and format as required in Chapter 3 and 4 of the Subdivision Ordinance for Gem County.

Subdivision Improvement & Mitigation Conditions

4. Per GCC 12-6-1.C, the applicant must install utilities and underground service connections that shall be provided to each platted lot. Utilities can be either overhead or underground outside of the subdivision boundary but must be underground within the subdivision. Appropriate easements will need to be in place on the plat. It is the applicant’s responsibility to ensure that future lot owners will bear no additional charge to obtain phone or power service for their lot.
5. Prior to the Board signature of the Final Plat, the subdivider shall prepare a new Quitclaim Deed for Lots 1-17 Block 1 of Dobie Ranch Subdivision. Copies of the new deed shall be provided to the Development Services Department for recordation with the plat.
6. Prior to the Board signature of the Final Plat, the subdivider shall provide written confirmation from Black Canyon Irrigation District that their requirements have been satisfied for providing irrigation to each Lot.
7. The developer shall submit engineered construction drawings for the required improvements including a storm water drainage plan to be reviewed by the County Engineer.

Private Road Applications

1. The proposed Private Road names of “Alistair Lane” and “Keshen Lane” are approved by the Street Naming Committee and shall be shown on the plat.
2. Applicant shall hire an engineer to design constructions drawings for the private road to be reviewed by the County Engineer.
3. Applicant shall comply with all Middleton Fire District requirements for emergency turnarounds on the private roads. Submit a letter of approval from Middleton Fire District prior to the Board signature of the Mylar for the turnarounds and for the waiver requests due to the length of the private roads and block.

4. Applicant shall purchase and install a blue private road sign and a stop sign at the intersection of the private road and El Paso Road and at the intersection of the private road and Dobie Road.
5. Per GCC 12-6-1.F.4.d, the developer shall construct the private roads as a subdivision improvement. The roads shall be upgraded to 24' wide and obtain a final inspection prior to the Board signature of the Mylar.
6. Submit a signed and ready-to-record Maintenance Agreement for the private roads to the Development Services Department prior to the Board signature of the Mylar.

GEM COUNTY

OFFICE OF
Megan Keene
TREASURER
TAX COLLECTOR
PUBLIC ADMINISTRATOR



415 E MAIN STREET
ROOM 200
EMMETT, IDAHO 83617
(208) 365-3272

September 12, 2022

Gem County Development Services Department
Attn: Michelle Barron, Associate Planner
109 S. McKinley Avenue
Emmett, ID 83617

RE: Dobie Ranch Subdivision (Standard Subdivision)
Loc: El Paso Road and Dobie Road
PIN: RP06N03W287201

Dear Michelle,

After reviewing the application for the Dobie Ranch Standard Subdivision, the following are my comments regarding the subject parcel:

*Parcel RP06N03W287201 will have 2022 property taxes due, the **estimated** amount to be billed is \$258.15.*

Any split/combined/property boundary adjustment/minor sub parcels must have all taxes paid in full.

*****Please note--Splits, Combos, PBAs, Platted Subdivisions, and Manufactured Homes Declared Real need to be correctly recorded by no later than May 1, 2022, in order to show up in the 2022 Assessment Roll and 2022 Tax Roll. Anything recorded after that date will be valued and taxed based on how the property was as of January 1, 2022.***

If you have any questions, please feel free to contact the Treasurer's office.

Sincerely,

A handwritten signature in black ink that reads "Megan Keene".
Megan Keene
Gem County Treasurer



100 East Bower Street, Suite 110
Meridian, ID 83642

(208) 288-1992

September 23, 2022

Jennifer Kharri
Gem County
Planning Director
109 S McKinley
Emmett, Idaho 83617

Re: Dobie Ranch Subdivision Preliminary Plat Application

Dear Jennifer:

Keller Associates, Inc. has reviewed the Preliminary Plat for the Dobie Ranch Subdivision dated August 8, 2022. We reviewed this package to check conformance with the County Subdivision Ordinance. We have the following comments in order for the applicant to satisfy the County's requirements:

1. It appears that there are slopes greater than 10% throughout the site, which classifies as a Hillside Subdivision. Depict "No Build Zones" where slopes are greater than 10% OR provide the information required in Gem County's Hillside Code Chapter 7, Section 12-7-2.
2. Provide width and typical sections for the private roads. Both roads will need to have Fire Department approval for the lengths of the roads exceeding 750' in length and shall adhere to Type B Private Road requirements set forth in Chapter 6, Section 11-6-3.
3. Please confirm if Alistair Lane will be serving more than 10 lots. If so, a variance will need to be provided as Gem County code states that private roads shall not serve more than 10 lots.
4. There are many notes that refer to "Block 2" but the plat does not show a block 2. Please confirm if that was in error.
5. Note 16 states that the Black Canyon Irrigation Easement is 30' wide but it is shown as 50' wide in some sections. Please confirm.
6. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained unless approved in writing by the local irrigation district or ditch company.
7. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.
8. Plat shall comply with requirements of the local highway district.
9. Plat shall comply with Southwest District Health requirements.

We recommend that the **conditions 1 through 5 listed above be addressed prior to approval of the Preliminary Plat.** Any variance or waivers to the Gem County standards, ordinances, or policies must be specifically approved in writing by the County. Approval of the above-referenced Preliminary Plat

does not relieve the Registered Professional Land Surveyor or the Registered Professional Engineer of those responsibilities.

If you have any questions, please do not hesitate to call Keller Associates at (208) 288-1992.

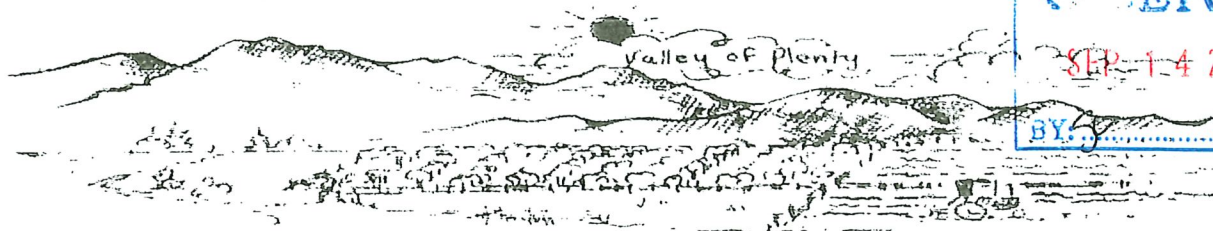
Sincerely,

KELLER ASSOCIATES, INC.

A handwritten signature in blue ink, appearing to read "Justin Walker".

Justin Walker, P.E.
County Engineer

cc: File



Gem Soil And Water Conservation District

September 12, 2022

Gem County Planning and Zoning Commission
109 S McKinley
Emmett, ID 83617

Dear Administrator:

The Gem Soil and Water Conservation District respectfully submits the following comment regarding the proposed: Dobie Subdivision 22-009, Elk View Estates #2 22-007, Sales Yard Estates #2 22-006, and Big Sky Estates Subdivision 22-008.

- 1) Recommend that drainage is maintained for irrigation and surface water.

Thank you for the opportunity to comment.

Sincerely,

Kirk Vickery
Chairman
Gem Soil and Water Conservation District

**Gem County
Road & Bridge Dept.
402 N. Hayes Ave.
Emmett, ID 83617**



**Neal Capps, Director
Phone: 208-365-3305
Fax: 208-365-2530
Email: gcrb@co.gem.id.us**

September 23, 2022

Jennifer Kharri, Administrator
Development Services
109 S. McKinley
Emmett, ID 83617

RE: Dobie Ranch (Standard Subdivision)

Dear Jennifer,

Gem County Road & Bridge (GCRB) has reviewed the application for Dobie Ranch, a proposed 17 lot Subdivision, located adjacent to El Paso Road and Dobie Road. This subdivision has proposed ingress/egress with a private lane on each roadway, thus supported by GCRB. El Paso Road is a minor collector, under Gem County Functional Class Map. This roadway is constructed of asphalt at a width of 24 feet and has a speed limit of 45mph. El Paso Road is a highly traveled commuter route to Caldwell and surrounding areas. Dobie Road is a local road, under the Gem County Functional Class Map. This roadway is constructed of asphalt at a width of 24 feet and has a speed limit of 45mph. This roadway is a direct route to the freeway. The proposed subdivision will create an average of 170 vehicle trips per day, upon completion of this subdivision.

GCRB recommends the following conditions be added to the subdivision if approved;

1. Applicant shall apply for an approach permit with Gem County Road & Bridge Department.
2. Approach shall be constructed to Gem County approach standards, at a 2% fall away from the existing roadway, with 12 inches of pit run and 4 inches of road mix.
3. Applicant shall pave the approach to the proposed subdivision.
4. Applicant shall provide GCRB with compaction test results for all road materials, subbase, pit run, road mix and asphalt. The compaction tests shall be a minimum of 92%.
5. Applicant shall hire an experienced paving contractor licensed in the State of Idaho.
6. Applicant or contractor, shall provide commercial asphalt mix design to GCRB for approval, prior to paving approach.
7. Applicant shall saw cut the edge of the existing pavement and apply tack oil on said roadway, prior to paving approach.
8. Paved approach shall be a minimum of 30 feet in width and a minimum of 20 feet in length. The asphalt shall be a depth of 3 inches after compaction. The compaction test shall be a minimum of 92%.
9. Approach shall meet Gem County approach standards upon completion.

If you have any questions please contact me at 208-365-3305.

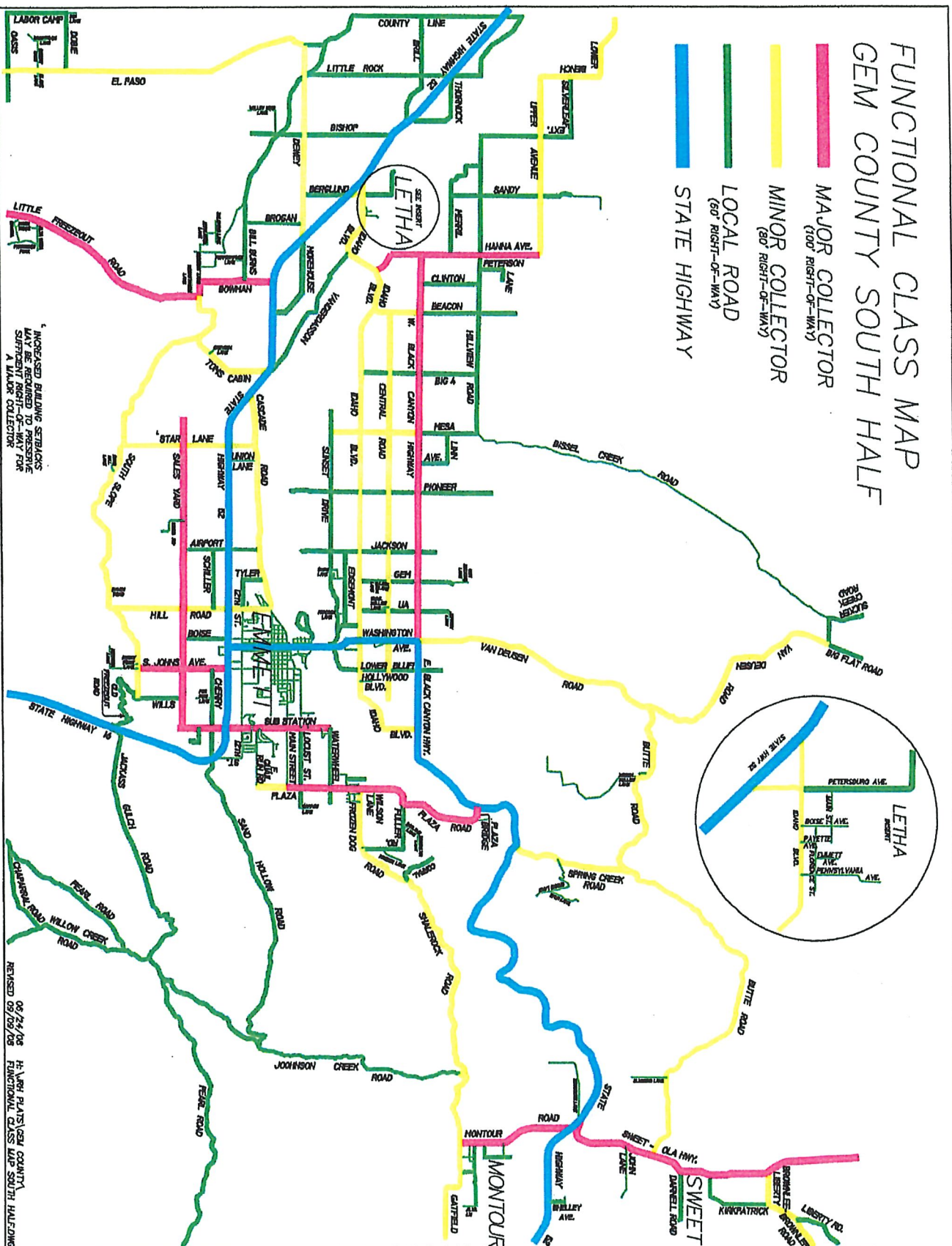
Thank you,

Neal Capps, Director
Gem County Road & Bridge

A handwritten signature in blue ink, appearing to read "Neal Capps", is written over the printed name and title.

FUNCTIONAL CLASS MAP GEM COUNTY SOUTH HALF

- MAJOR COLLECTOR
(100' RIGHT-OF-WAY)
- MINOR COLLECTOR
(80' RIGHT-OF-WAY)
- LOCAL ROAD
(60' RIGHT-OF-WAY)
- STATE HIGHWAY



* INCREASED BUILDING SETBACKS
MAY BE REQUIRED TO PRESERVE
SUFFICIENT RIGHT-OF-WAY FOR
A MAJOR COLLECTOR

LAND USE APPLICATION

DATE: 09-23-2022

PROJECT: Dobie Ranch Subdivision

ROAD:

El Paso Road/ Dobie Road

MAJOR/MINOR COLLECTOR:

Minor/ Local

ROAD PROJECTS:

Grader Patching on El Paso Road

ROAD SURFACE:

Asphalt

ROAD WIDTH:

Approximately 24 Ft.

ROAD LENGTH:

Approximately 4 miles

RIGHT OF WAY - DISTANCE:

40 feet form center El Paso Road

APPROACH PERMIT:

Need to obtain permit.

SAFETY IMPROVEMENTS:

N/A

TRAFFIC COUNTS:

2021


SIGNATURE:


DATE:

MIDDLETON RURAL FIRE DISTRICT



STAR FIRE PROTECTION DISTRICT

DATE: September 1, 2022

TO: Gem County DSD
Kelly Fulfer

FROM: Victor Islas, Deputy Chief

SUBJECT: Fire District Review

PROJECT NAME: Dobie Ranch Subdivision PP-22-009
Keshen Lane & Alistair Lane

Fire District Summary Report:

1. **Overview:** This development can be serviced by the Middleton Rural Fire District. This development shall comply with the 2018 International Fire Code (IFC) and any codes set forth by the Gem County, Idaho.
2. **Accessibility:** Roadway Access, Traffic, Radio Coverage
 - a. Access roads shall be provided and maintained following Appendix D and Section 503 of the IFC. Access shall include adequate roadway widths, signage, turnarounds, and turning radius for fire apparatus.
 - b. Access road design shall be designed and constructed to allow for evacuation simultaneously with emergency response operations.
 - c. All access roads in this development shall remain clear and unobstructed during construction of the development. Additional parking restrictions may be required as to always maintain access for emergency vehicles.
 - d. An unobstructed vertical clearance of no less than 13 feet 6 inches shall be always maintained.
 - e. Additional turn arounds will be required when a structure sits more than 150 off the approved roadway.
 - f. Upon commencement of initial construction of a new structure, a clear visible freestanding sign or post shall be erected and maintained in place until the permanent address numerals are attached or otherwise displaced upon the premises at completion.
3. The purposed entrance and street (Keshen Lane & Alistair Lane) meet the intent of the International Fire Code for fire apparatus access roads.

CERTIFICATE OF MAILING

I hereby certify that on the 2ND day of September 2022, I served a true and correct copy of the foregoing upon:

PROPERTY OWNER LIST WITHIN 300 FEET

Dobie Ranch
Dobie Road/El Paso Road
T06N, R03W, Section 28

Eleanor and Carl Blue Trust
6560 El Paso Road
Caldwell, ID 83607

Nancy Ann Blue Trust
6770 El Paso Road
Caldwell, ID 83607

Bruce Berg
10400 Dobie Road
Caldwell, ID 83607

Carl & Elanor Blue Farm Trust
6560 El Paso Road
Caldwell, ID 83607

Judy Holmquist
6390 El Paso Road
Caldwell, ID 83607

John Ward
PO Box 221
Emmett, ID 83617

David Youngstrom
6365 El Paso Road
Caldwell, ID 83607

Sintra LLC
1125 W Two Rivers Lane
Eagle, ID 83616

Karen Youngstrom
6355 El Paso Road
Caldwell, ID 83607

Paul Denbeste
6805 El Paso Road
Caldwell, ID 83607

Vicki Holmes & Carl Youngstrom
6345 El Paso Road
Caldwell, ID 83607

Guadalupe Dendgean
7315 El Paso Road
Caldwell, ID 83607

Angela Logoski
PO Box 46131
Boise, ID 83711

Kathy & Josh Attebery
9980 Blanc Lane
Caldwell, ID 83607

Julie Hapiuk
7354 Cloud Court
Caldwell, ID 83607

Dan & Joy Hall
7020 Koi Lane
Caldwell, ID 83607

Arthur & Frances Gale Revocable Trust
6930 El Paso Road
Caldwell, ID 83607

Roger & Jackie Beatty
7010 Pleasant View Drive
Caldwell, ID 83607

Alex Shippy
6915 El Paso Road
Caldwell, ID 83607

Michael & Tabatha Lamberson
10755 Dobie Road
Caldwell, ID 83607

Mark & Karie Rose
9950 Blanc Lane
Caldwell, ID 83607

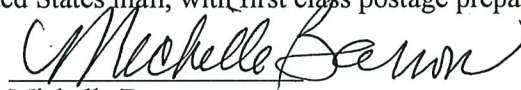
Sharon Rose
9950 Blanc Lane
Caldwell, ID 83607

Brandon & Chris Johnson
7125 El Paso Road
Caldwell, ID 83607

Brittney Ketcherside
7353 Cloud Court
Caldwell, ID 83607

Sharell Newman
7380 Tuning Place
Caldwell, ID 83607

By depositing a copy thereof in the United States mail, with first class postage prepaid.


Michelle Barron
Associate Planner

